

EXHIBIT 75

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

-----	X	
	:	
In Re: AUTOMOTIVE PARTS	:	
ANTITRUST LITIGATION	:	
	:	
	:	
ALL PARTS	:	Case No.: 12-MD-02311
	:	Honorable Marianne O. Battani
	:	Special Master Gene Esshaki
THIS RELATES TO: ALL CASES	:	
	:	
	:	
	:	

**DECLARATION OF ART BATTAGLIA IN SUPPORT OF VOLVO CARS
OF NORTH AMERICA, LLC's OPPOSITION TO MOTION TO COMPEL**

I, Art Battaglia, hereby declare under penalty of perjury as follows:

1. I am employed as the Manager of Lifecycle Brand and Business Strategy of Volvo Cars USA LLC, a subsidiary of Volvo Cars of North America, LLC ("Volvo"). Volvo Cars USA LLC was formed on January 1, 2016 to serve in the role previously held by Volvo Cars of North America, LLC of distributor of Volvo cars in the United States.

2. I was employed by Volvo Cars of North America, LLC since before its acquisition by an affiliate of Zhejiang Geely Holding Group Co., Ltd. in 2010. In my current role, I am responsible for all Product Offerings in the United States including vehicle specifications, variants, segment structure and pricing. I make this declaration based upon personal knowledge and a review of business records and information concerning Volvo.

I. Volvo's Limited Operations

3. Volvo's primary business operations are limited to the purchase and distribution of Volvo vehicles, and the marketing of those vehicles in the United States.

4. Volvo Cars of North America, LLC was formed in 2001.

5. Volvo purchases fully-assembled Volvo vehicles for distribution in the United States. Volvo purchases those fully-assembled vehicles from Volvo Personvagnar AB (in English, “Volvo Car Corporation”), a corporation organized under the laws of Sweden with its principal place of business in Gothenburg, Sweden.

6. All of the vehicles Volvo purchases are manufactured outside the United States.

7. Volvo purchases the vehicles from Volvo Car Corporation at prices determined by Volvo Car Corporation. Volvo does not receive or maintain information concerning Volvo Car Corporation’s costs to manufacture the vehicles, including the amount paid by Volvo Car Corporation or others for components or assemblies that are used to manufacture Volvo vehicles.

8. Given its distribution and marketing role, Volvo does not purchase components or assemblies for initial installation in the vehicles that it distributes, has no role in the selection of suppliers of those components and assemblies, does not negotiate or enter into agreements with suppliers of those components or assemblies, and has no records concerning the procurement or cost of such components or assemblies.

9. Volvo also does not engage in the design, manufacture or assembly of Volvo vehicles, the sale of those vehicles to consumers, or the financing of those vehicles for consumers.

10. As noted, when Volvo purchases vehicles from Volvo Car Corporation, Volvo does not receive information concerning the procurement or costs of components and assemblies installed in those vehicles. To the extent that Volvo Car Corporation may factor the pricing of components and assemblies into prices charged to Volvo for Volvo vehicles, Volvo does not receive information about that decision.

11. After purchase from Volvo Car Corporation, Volvo sells the new vehicles to authorized dealers in the United States for retail sale or lease in the United States.

12. In determining the prices at which it sells vehicles to authorized dealers, Volvo does not consider the costs of components and assemblies, nor could it, because Volvo does not have information concerning the costs of components and assemblies.

13. The purchase and financing of Volvo vehicles to consumers are matters that are addressed between a Volvo dealer and consumers without involvement by Volvo.

14. In the ordinary course of business, Volvo only obtains limited identification information on the purchasing consumer from the authorized dealer. This information is primarily collected for purposes of product campaigns and recalls.

15. Volvo is in a position to provide limited information on purchasing consumers dating back to 2005.

16. In the ordinary course of business, Volvo does not obtain information on the sale or lease price, or the terms and conditions of sale or lease, to the purchasing consumer. Dealers are not required to report, and typically do not report, the terms and conditions of individual retail transactions, such as pricing, pricing decisions, and terms and conditions to Volvo.

II. Volvo's Limited United States Sales

17. Volvo's vehicle sales have always been a very small percentage of the U.S. vehicle market. The following chart identifies Volvo's U.S. sales and its U.S. light weight vehicle market share. Sales are identified dating back to 2005, the period for which Volvo is in a position to provide limited downstream information. The Volvo sales data is based on the sales

numbers reported to and published by Automotive News. The total U.S. light weight vehicle sales data is publicly available from the U.S. Federal Reserve.¹

<u>VOLVO SALES</u>			
Year	U.S. Light Weight Vehicle Sales (Federal Reserve Data)	Total Volvo Sales by Volvo Cars of North America, LLC	Volvo Sales: Share of U.S. Light Weight Vehicle Sales
2005	16,948,300	123,587	0.7292%
2006	16,503,900	115,807	0.7017%
2007	16,088,900	106,213	0.6602%
2008	13,194,900	73,102	0.5540%
2009	10,402,200	61,435	0.5906%
2010	11,554,800	53,948	0.4669%
2011	12,734,900	67,240	0.5280%
2012	14,442,500	68,117	0.4716%
2013	15,531,800	61,233	0.3942%
2014	16,435,100	56,366	0.3430%
2015	17,386,300	70,047	0.4029%

III. Upstream Purchasing Information

18. I understand that the motions at issue concern, in part, 35 requests (including subparts) relating to upstream purchasing information of the components and assemblies at issue. As set out above, Volvo does not, in the ordinary course, receive or maintain records concerning the procurement or cost of components or assemblies.

¹ See Light Weight Vehicle Sales (not seasonally adjusted), Federal Reserve of St. Louis Economic Data, <https://research.stlouisfed.org/fred2/release?rid=93>.

IV. Downstream Purchasing Information

19. I understand that the motions at issue concern, in part, 28 requests relating primarily to (i) the distribution and sale of vehicles; and (ii) the resale of those vehicles by dealers. I refer to these requests as “downstream” requests.

20. As detailed above, Volvo only obtains limited identification information on the purchasing consumer from the authorized dealer, and does not obtain information on the sale or lease price, or the terms and conditions of sale or lease, to the purchasing consumer.

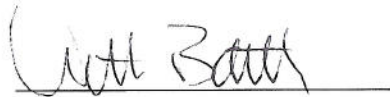
21. Volvo does not consider the cost of components and assemblies when setting prices. Absent this information, any downstream information Volvo might have would not enable the tracking of a purported overcharge on a component—purchased and paid for by another entity—through the distribution process to a dealer network or the end-user customer.

22. Moreover, the burden of searching for and producing downstream information that Volvo might have in its possession is immense. Such a search would require reviewing data in multiple electronic databases, searching electronically archived records, and searching extensive hardcopy record collections, many of which, to the extent that they still exist, may be in off-site storage and exceedingly difficult to locate and collect. The documents, records and data that are sought are not maintained in a format that aligns with the requests and none of the documents, records or data, including those for more recent years, are maintained in a fashion that I consider readily accessible.

23. I anticipate that the effort to simply locate and collect the documents, records and data that are sought for the time period at issue would take hundreds or thousands of employee hours. Volvo has approximately 275 employees in the United States, only 3 of which are in the

legal department. Such an undertaking would substantially interfere with Volvo's business duties and operations.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief this 18th day of February, 2016.


Art Battaglia